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Approved For Release 2002/09/03 : CIA-RDP71R00140A000100070011-7

NOTICE OF PENDING LEGISLATION

LEGISLATIVE BILL NO.

S. 3465

SECTION I

GENERAL

TO : DD/S&T
6 E 60FROM: LEGISLATIVE COUNSEL
OFFICE OF GENERAL COUNSEL

THE ATTACHED BILL, WHICH HAS BEEN INTRODUCED INTO CONGRESS, IS:

☐ SENT TO YOU FOR INFORMATION ONLY.☐ A BILL ON WHICH FAVORABLE CONGRESSIONAL ACTION ☐ IS ☐ IS NOT PREDICTED.☒ SENT FOR YOUR COMMENT AS TO WHETHER IT IS OF INTEREST TO CIA ACTIVITIES, AND WHETHER FURTHER ACTION BY THIS OFFICE IS NECESSARY OR DESIRED.

IT IS REQUESTED THAT COMMENTS CONCERNING THIS LEGISLATION BE FORWARDED, THROUGH APPROPRIATE CHANNELS, TO THIS OFFICE, BY _____

OLD
HERE

SECTION II

COMMENTS (From Original Addressee)

TO : LEGISLATIVE COUNSEL
OFFICE OF GENERAL COUNSEL
6 D 0109FROM: O/DD/S&TFOLD
HERE

Senate Bill 3465 is of interest to CIA activities, but DD/S&T has no request for further action by your office. We believe that the provisions under "Functions of the Foundation," Section 3 (b), provide us with a mechanism whereby we can obtain support from the National Science Foundation if such is required. We appreciate the opportunity you have given us to review the proposed bill.

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DATE OF COMMENTS

7 July 1966

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EXTENSION
4248

89TH CONGRESS
2D SESSION

S. 3465

IN THE SENATE OF THE UNITED STATES

JUNE 6, 1966

Mr. HILL introduced the following bill; which was read twice and referred
to the Committee on Labor and Public Welfare

A BILL

To amend the National Science Foundation Act of 1950 to
make changes and improvements in the organization and
operation of the Foundation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 3 of the National Science Foundation Act of
4 1950 is amended to read as follows:

5 “FUNCTIONS OF THE FOUNDATION

6 “SEC. 3. (a) The Foundation is authorized and
7 directed—

8 “(1) to initiate and support basic scientific research
9 and programs to strengthen scientific research potential
10 in the mathematical, physical, medical, biological, en-

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1 gineering, social, and other sciences, by making con-
2 tracts or other arrangements (including grants, loans,
3 and other forms of assistance) to support such scientific
4 activities and to appraise the impact of research upon
5 industrial development and upon the general welfare:

6 “(2) to award, as provided in section 10, scholar-
7 ships and graduate fellowships in the mathematical,
8 physical, medical, biological, engineering, social, and
9 other sciences;

10 “(3) to foster the interchange of scientific infor-
11 mation among scientists in the United States and foreign
12 countries;

13 “(4) to evaluate the status and needs of the various
14 sciences as evidenced by programs, projects, and studies
15 undertaken by agencies of the Federal Government, by
16 individuals, and by public and private research groups,
17 employing by grant or contract such consulting services
18 as it may deem necessary for the purpose of such evalua-
19 tions; and to take into consideration the results of such
20 evaluations in correlating the research and educational
21 programs undertaken or supported by the Foundation
22 with programs, projects, and studies undertaken by
23 agencies of the Federal Government, by individuals,
24 and by public and private research groups;

25 “(5) to maintain a current register of scientific and

1 technical personnel, and in other ways to provide a
2 central clearinghouse for the collection, interpretation,
3 and analysis of data on the availability of, and the cur-
4 rent and projected need for, scientific and technical
5 resources in the United States, including its territories
6 and possessions, and to provide a source of information
7 for policy formulation by other agencies of the Federal
8 Government; and

9 “(6) to initiate and maintain a program for the
10 determination of the total amount of money for scientific
11 research, including money allocated for the construction
12 of the facilities wherein such research is conducted,
13 received by each educational institution, nonprofit orga-
14 nization, and private contractor in the United States,
15 including its territories and possessions, by grant, con-
16 tract, or other arrangement from agencies of the Federal
17 Government, and to report annually thereon to the
18 President and the Congress.

19 “(b) When requested by the Secretary of State or the
20 Secretary of Defense, the Foundation is authorized to initiate
21 and support specific scientific activities in connection with
22 matters relating to international cooperation or national
23 security by making contracts or other arrangements (includ-
24 ing grants, loans, and other forms of assistance) for the
25 conduct of such scientific activities.

1 “(c) In addition to the authority contained in subsec-
2 tions (a) and (b), the Foundation is authorized to initiate
3 and support scientific research, including applied research, at
4 academic and other nonprofit institutions. When so directed
5 by the President, the Foundation is further authorized to
6 support, through other appropriate organizations, applied
7 scientific research relevant to national problems involving the
8 public interest. In exercising the authority contained in this
9 subsection, the Foundation may employ by grant or contract
10 such consulting services as it deems necessary, and shall
11 coordinate and correlate its activities with respect to any
12 such problem with other agencies of the Federal Government
13 undertaking similar programs in that field.

14 “(d) The Board shall recommend and encourage the
15 pursuit of national policies for the promotion of basic re-
16 search and education in the sciences.

17 “(e) In exercising the authority and discharging the
18 functions referred to in the foregoing subsections, it shall
19 be one of the objectives of the Foundation to strengthen
20 research and education in the sciences, including independent
21 research by individuals, throughout the United States, in-
22 cluding its territories and possessions, and to avoid undue
23 concentration of such research and education.

24 “(f) The Foundation shall render an annual report to
25 the President for submission on or before the 15th day of

1 January of each year to the Congress, summarizing the ac-
2 tivities of the Foundation and making such recommendations
3 as it may deem appropriate. Such report shall include in-
4 formation as to the acquisition and disposition by the Foun-
5 dation of any patents and patent rights.”

6 SEC. 2. Section 4 of the National Science Foundation
7 Act of 1950 is amended to read as follows:

8 “NATIONAL SCIENCE BOARD

9 “SEC. 4. (a) The Board shall consist of twenty-four
10 members to be appointed by the President, by and with the
11 advice and consent of the Senate, and of the Director ex
12 officio. In addition to any powers and functions otherwise
13 granted to it by this Act, the Board shall establish and be
14 responsible for the policies of the Foundation.

15 “(b) The Board shall have an Executive Committee
16 as provided in section 7, and may delegate to it or to the
17 Director or both such of the powers and functions granted
18 to the Board by this Act as it deems appropriate.

19 “(c) The persons nominated for appointment as mem-
20 bers of the Board (1) shall be eminent in the fields of the
21 basic, medical or social sciences, engineering, agriculture,
22 education, or public affairs; (2) shall be selected solely on
23 the basis of established records of distinguished service; and
24 (3) shall be so selected as to provide representation of the
25 views of scientific leaders in all areas of the Nation. The

1 President is requested, in the making of nominations of
2 persons for appointment as members, to give due considera-
3 tion to any recommendations for nomination which may be
4 submitted to him by the National Academy of Sciences, the
5 National Association of State Universities and Land Grant
6 Colleges, the Association of American Universities, the
7 Association of American Colleges, or by other scientific or
8 educational organizations.

9 “(d) The term of office of each member of the Board
10 shall be six years; except that any member appointed to
11 fill a vacancy occurring prior to the expiration of the term
12 for which his predecessor was appointed shall be appointed
13 for the remainder of such term. Any person, other than the
14 Director, who has been a member of the Board for twelve
15 consecutive years shall thereafter be ineligible for appoint-
16 ment during the two-year period following the expiration
17 of such twelfth year.

18 “(e) The Board shall meet annually on the third Mon-
19 day in May unless, prior to May 10 in any year, the Chair-
20 man has set the annual meeting for a day in May other than
21 the third Monday, and at such other times as the Chairman
22 may determine, but he shall also call a meeting whenever
23 one-third of the members so request in writing. A majority
24 of the members of the Board shall constitute a quorum.
25 Each member shall be given notice, by registered mail or

1 certified mail mailed to his last known address of record not
2 less than fifteen days prior to any meeting, of the call of
3 such meeting.

4 “(f) The election of the Chairman and Vice Chairman
5 of the Board shall take place every second annual meeting.
6 The Vice Chairman shall perform the duties of the Chairman
7 in his absence. In case a vacancy occurs in the chairman-
8 ship or vice chairmanship, the Board shall elect a member
9 to fill such vacancy.

10 “(g) The Board shall render an annual report to the
11 President, for submission on or before the 31st day of Jan-
12 uary of each year to the Congress, on the status and health
13 of science and its various disciplines. Such report shall in-
14 clude an assessment of such matters as national scientific re-
15 sources and trained manpower, progress in selected areas of
16 basic scientific research, and an indication of those aspects
17 of such progress which might be applied to the needs of
18 American society. The report may include such recom-
19 mendations as the Board may deem timely and appropriate.

20 “(h) The Board may, with the concurrence of a
21 majority of its members, permit the appointment of a staff
22 consisting of not more than five professional staff members
23 and such clerical staff members as may be necessary. Such
24 staff shall be appointed by the Director and assigned at the
25 direction of the Board. The professional members of such

1 staff may be appointed without regard to the civil service
2 laws or the Classification Act of 1949 and compensated at
3 a rate not exceeding the appropriate rate provided for in-
4 dividuals in grade 15 of the General Schedule of the Classi-
5 fication Act of 1949, as may be necessary to provide for the
6 performance of such duties as may be prescribed by the
7 Board in connection with the exercise of its powers and
8 functions under this Act. Each appointment under this sub-
9 section shall be subject to the same security requirements
10 as those required for personnel of the Foundation appointed
11 under section 14 (a) .

12 “(i) The Board is authorized to establish such special
13 commissions as it may from time to time deem necessary
14 for the purposes of this Act.

15 “(j) The Board is also authorized to appoint from
16 among its members such committees as it deems necessary,
17 and to assign to committees so appointed such survey and
18 advisory functions as the Board deems appropriate to assist
19 it in exercising its powers and functions under this Act.”

20 SEC. 3. Section 5 of the National Science Foundation
21 Act of 1950 is amended to read as follows:

22 “DIRECTOR OF THE FOUNDATION

23 “SEC. 5. (a) The Director of the Foundation (referred
24 to in this Act as the ‘Director’) shall be appointed by the
25 President, by and with the advice and consent of the Senate.

1 Before any person is appointed as Director, the President
2 shall afford the Board an opportunity to make recommenda-
3 tions to him with respect to such appointment. The Direc-
4 tor shall receive compensation at the rate provided for level
5 II of the Federal Executive Salary Schedule and shall serve
6 for a term of six years unless sooner removed by the
7 President.

8 “(b) Except as otherwise specifically provided in this
9 Act (1) the Director shall exercise all of the authority
10 granted to the Foundation by this Act (including any
11 powers and functions which may be delegated to him by
12 the Board, and (2) all actions taken by the Director
13 pursuant to the provisions of this Act (or pursuant to the
14 terms of a delegation from the Board) shall be final and
15 binding upon the Foundation.

16 “(c) The Director may from time to time make such
17 provisions as he deems appropriate authorizing the per-
18 formance by any other officer, agency, or employee of the
19 Foundation of any of his functions under this Act, includ-
20 ing functions delegated to him by the Board; except that
21 the Director may not redelegate policymaking functions
22 delegated to him by the Board.

23 “(d) The Director shall not make any contract, grant,
24 or other arrangement pursuant to section 11 (c) without the

1 prior approval of the Board if such contract, grant, or other
2 arrangement involves a new type of program, or involves
3 a total commitment of over \$2,000,000, or over \$500,000 in
4 any one year, or a commitment of such other amount or
5 amounts and subject to such other conditions as the Board in
6 its discretion may determine and publish in the Federal
7 Register.

8 “(c) The Director, in his capacity as ex officio member
9 of the Board, shall, except with respect to compensation
10 and tenure, be coordinate with the other members of the
11 Board. He shall be a voting member of the Board and
12 shall be eligible for election by the Board as Chairman or
13 Vice Chairman of the Board.”

14 SEC. 4. The National Science Foundation Act of 1950
15 is further amended by striking out section 8, by redesignating
16 sections 6 and 7 as sections 7 and 8, respectively, and by
17 inserting after section 5 the following new section:

18 “DEPUTY DIRECTOR AND ASSISTANT DIRECTORS

19 “SEC. 6. (a) There shall be a Deputy Director of the
20 Foundation (referred to in this Act as the ‘Deputy Direc-
21 tor’), who shall be appointed by the President, by and
22 with the advice and consent of the Senate. Before any
23 person is appointed as Deputy Director, the President shall
24 afford the Board and the Director an opportunity to make
25 recommendations to him with respect to such appointment.

1 The Deputy Director shall receive compensation at the
2 rate provided for level III of the Federal Executive Salary
3 Schedule and shall perform such duties and exercise such
4 powers as the Director may prescribe. The Deputy Di-
5 rector shall act for, and exercise the powers of, the Director
6 during the absence or disability of the Director or in the
7 event of a vacancy in the office of Director.

8 “(b) There shall be four Assistant Directors of the
9 Foundation (each referred to in this Act as an ‘Assistant
10 Director’), who shall be appointed by the President, by and
11 with the advice and consent of the Senate. Before any
12 person is appointed as an Assistant Director, the President
13 shall afford the Board and the Director an opportunity to
14 make recommendations to him with respect to such appoint-
15 ment. Each Assistant Director shall receive compensation at
16 the rate provided for level V of the Federal Executive
17 Salary Schedule and shall perform such duties and exercise
18 such powers as the Director may prescribe.”

19 SEC. 5. The section of the National Science Foundation
20 Act of 1950 redesignated as section 7 by section 4 of this
21 Act is amended to read as follows:

22 “EXECUTIVE COMMITTEE

23 “SEC. 7. (a) There shall be an Executive Committee
24 of the Board (referred to in this Act as the ‘Executive Com-
25 mittee’), which shall be composed of five members and

1 shall exercise such powers and functions as may be dele-
2 gated to it by the Board. Four of the members shall be
3 elected as provided in subsection (b), and the Director ex
4 officio shall be the fifth member and the chairman of the
5 Executive Committee.

6 “(b) At each of its annual meetings the Board shall
7 elect two of its members as members of the Executive Com-
8 mittee, and the Executive Committee members so elected
9 shall hold office for two years from the date of their election.
10 Any person, other than the Director, who has been a member
11 of the Executive Committee for six consecutive years shall
12 thereafter be ineligible for service as a member thereof dur-
13 ing the two-year period following the expiration of such
14 sixth year. For the purposes of this subsection, the period
15 between any two consecutive annual meetings of the Board
16 shall be deemed to be one year.

17 “(c) Any person elected as a member of the Executive
18 Committee to fill a vacancy occurring prior to the expiration
19 of the term for which his predecessor was elected shall be
20 elected for the remainder of such term.

21 “(d) The Executive Committee shall render an annual
22 report to the Board, and such other reports as it may deem
23 necessary, summarizing its activities and making such rec-
24 ommendations as it may deem appropriate. Minority views

1 and recommendations, if any, of members of the Executive
2 Committee shall be included in such reports.”

3 SEC. 6. The section of the National Science Foundation
4 Act of 1950 redesignated as section 8 by section 4 of this
5 Act is amended to read as follows:

6 “DIVISIONS WITHIN THE FOUNDATION

7 “SEC. 8. There shall be within the Foundation such
8 Divisions as the Director, in consultation with the Board,
9 may from time to time determine.”

10 SEC. 7. Section 9 (a) of the National Science Founda-
11 tion Act of 1950 is amended by striking out “section 3 (a)
12 (7)” and inserting in lieu thereof “section 4 (i)”.

13 SEC. 8. Section 10 of the National Science Foundation
14 Act of 1950 is amended—

15 (1) by striking out “section 17” and inserting in
16 lieu thereof “section 16”; and

17 (2) by inserting “social,” after “engineering,”.

18 SEC. 9. (a) Section 11 (c) of the National Science
19 Foundation Act of 1950 is amended—

20 (1) by striking out “basic”;

21 (2) by striking out “research” each place it
22 appears;

23 (3) by inserting “Secretary of State or” before
24 “Secretary of Defense”; and

1 (4) by striking out "the national defense" and in-
2 serting in lieu thereof "international cooperation or na-
3 tional security".

4 (b) Section 11 (d) of such Act is amended by striking
5 out "research" and inserting in lieu thereof "activities".

6 SEC. 10. Section 13 (a) of the National Science Foun-
7 dation Act of 1950 is amended—

8 (1) by striking out ", with the approval of the
9 Board,"; and

10 (2) by striking out "section 16 (d) (2)" and in-
11 serting in lieu thereof "section 15 (d) (2)".

12 SEC. 11. Section 14 of the National Science Foundation
13 Act of 1950 is repealed.

14 SEC. 12. (a) Section 15 of the National Science Foun-
15 dation Act of 1950 is redesignated as section 14, and is
16 amended to read as follows:

17 "Miscellaneous Provisions

18 "SEC. 14. (a) The Director shall, in accordance with
19 such policies as the Board shall from time to time prescribe,
20 appoint and fix the compensation of such personnel as may
21 be necessary to carry out the provisions of this Act. Except
22 as provided in section 4 (h), such appointments shall be
23 made and such compensation shall be fixed in accordance
24 with the provisions of the civil service laws and regulations
25 and the Classification Act of 1949: *Provided*, That the Di-

1 rector may, in accordance with such policies as the Board
2 shall from time to time prescribe, employ such technical and
3 professional personnel and fix their compensation, without
4 regard to such laws, as he may deem necessary for the dis-
5 charge of the responsibilities of the Foundation under this
6 Act. The members of the special commissions shall be
7 appointed without regard to the civil service laws or regula-
8 tions.

9 “(b) Neither the Director, the Deputy Director, nor
10 any Assistant Director shall engage in any other business,
11 vocation, or employment while serving in such position; nor
12 shall the Director, the Deputy Director, or any Assistant
13 Director, except with the approval of the Board, hold any
14 office in, or act in any capacity for, any organization, agency,
15 or institution with which the Foundation makes any grant,
16 contract, or other arrangement under this Act.

17 “(c) The Foundation shall not, itself, operate any
18 laboratories or pilot plants.

19 “(d) The members of the Board and the members of
20 each special commission shall receive compensation at the
21 rate of \$100 for each day engaged in the business of the
22 Foundation pursuant to authorization of the Foundation and
23 shall be allowed travel expenses as authorized by section 5
24 of the Act of August 2, 1946 (5 U.S.C. 73b-2).

1 “(e) Persons holding other offices in the executive
2 branch of the Federal Government may serve as members of
3 the special commissions, but they shall not receive remunera-
4 tion for their services as such members during any period for
5 which they receive compensation for their services in such
6 other offices.

7 “(f) In making contracts or other arrangements for
8 scientific research, the Foundation shall utilize appropria-
9 tions available therefor in such manner as will in its discre-
10 tion best realize the objectives of (1) having the work
11 performed by organizations, agencies, and institutions, or
12 individuals in the United States or foreign countries, includ-
13 ing Government agencies of the United States and of foreign
14 countries, qualified by training and experience to achieve
15 the results desired. (2) strengthening the research staff of
16 organizations, particularly nonprofit organizations, in the
17 States, territories, possessions, and the District of Columbia,
18 (3) aiding institutions, agencies, or organizations which, if
19 aided, will advance scientific research, and (4) encouraging
20 independent scientific research by individuals.

21 “(g) Funds available to any department or agency of
22 the Government for scientific or technical research, or the
23 provision of facilities therefor, shall be available for transfer,
24 with the approval of the head of the department or agency

1 involved, in whole or in part, to the Foundation for such
2 use as is consistent with the purposes for which such funds
3 were provided, and funds so transferred shall be expendable
4 by the Foundation for the purposes for which the transfer
5 was made.”

6 SEC. 13. Sections 16 and 17 of the National Science
7 Foundation Act of 1950 are redesignated as sections 15 and
8 16, respectively. Subsection (a) of the section redesignated
9 as section 15 is amended by striking out “1946” each place
10 it appears and inserting in lieu thereof “1954”. Subsection
11 (b) of the section redesignated as section 15 is amended by
12 striking out “section 15 (h)” in paragraph (1) and inserting
13 in lieu thereof “section 14 (g)”.

14 SEC. 14. (a) (1) Section 303 (b) of the Federal Execu-
15 tive Salary Act of 1964 is amended by adding at the end
16 thereof the following new paragraph:

17 “(20) Director of the National Science Founda-
18 tion.”

19 (2) Section 303 (c) of such Act is amended by strik-
20 ing out paragraph (41), and by adding at the end thereof
21 the following new paragraph:

22 “(47) Deputy Director, National Science Foun-
23 dation.”

24 (3) Section 303 (c) of such Act is amended by striking

1 out paragraph (66), and by adding at the end thereof the
2 following new paragraph:

3 “(101) Assistant Directors, National Science Foun-
4 dation (4).”

5 (4) The amendments made by this subsection (and
6 the amendments made by sections 3 and 4 of this Act
7 insofar as they relate to rate of compensation) shall take
8 effect on the first day of the first calendar month which
9 begins on or after the date of the enactment of this Act.

10 (b) Section 902 (c) of the National Defense Education
11 Act of 1958 is amended by striking out “\$50” and inserting
12 in lieu thereof “\$100”.

13 SEC. 15. Except as otherwise specifically provided
14 therein, the amendments made by this Act are intended to
15 continue in effect under the National Science Foundation
16 Act of 1950 the existing offices, procedures, and organiza-
17 tion of the National Science Foundation as provided by such
18 Act, part II of Reorganization Plan Numbered 2 of 1962,
19 and Reorganization Plan Numbered 5 of 1965. From and
20 after the date of the enactment of this Act, part II of
21 Reorganization Plan Numbered 2 of 1962, and Reorgani-
22 zation Plan Numbered 5 of 1965, shall be of no force or
23 effect; but nothing in this Act shall alter or affect any
24 transfers of functions made by part I of such Reorganization
25 Plan Numbered 2 of 1962.

89TH CONGRESS
2D SESSION

S. 3465

A BILL

To amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes.

By Mr. HILL

JUNE 6, 1966

Read twice and referred to the Committee on Labor
and Public Welfare

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SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
UNCLASSIFIED		CONFIDENTIAL	
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	D/ORD 619 Ames		
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ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks: <p>1. Attached is a Senate Bill pending re the National Science Foundation. You will note that we have been asked for comments as to whether it is of interest to CIA activities and whether further action by the Office of General Counsel is necessary or desired.</p> <p>2. Would you please review this Bill and advise us accordingly.</p> <p>3. I am also attaching the State Dept Bulletin which contains an article and statement on a House Bill relating to the National Science Founda-</p> <p style="text-align: right;">(over)</p>			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
<div style="border: 1px solid black; padding: 2px;"> 6E40 4249 UNCLASSIFIED CONFIDENTIAL SECRET </div>			22 June

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tion. Please return the material and comments on the Senate Bill as soon as possible. If any action is required by OGC, they need as much lead time as possible.

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